

# SENATE BILL 687

F5, F1, E4

11r2474  
CF HB 998

---

By: **Senator Peters**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 23, 2011

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Militia – Employment for Military Spouses – Teachers, Health Care**  
3 **Practitioners, and Individuals in Business Occupations and Professions**

4 FOR the purpose of requiring the State Department of Education to develop a certain  
5 form relating to teacher certification and tenure and to post the form on its Web  
6 site; requiring the Adjutant General or the Adjutant General’s designee to assist  
7 certain military spouses in finding certain employment under certain  
8 circumstances; ~~requiring certain teachers to be granted tenure under certain~~  
9 ~~circumstances~~; and generally relating to employment for military spouses.

10 BY adding to

11 Article – Education

12 Section 6–201.1

13 Annotated Code of Maryland

14 (2008 Replacement Volume and 2010 Supplement)

15 ~~BY repealing and reenacting, without amendments,~~

16 ~~Article – Education~~

17 ~~Section 6–202(b)(1)~~

18 ~~Annotated Code of Maryland~~

19 ~~(2008 Replacement Volume and 2010 Supplement)~~

20 ~~BY repealing and reenacting, with amendments,~~

21 ~~Article – Education~~

22 ~~Section 6–202(b)(3)~~

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~Annotated Code of Maryland~~  
 2 ~~(2008 Replacement Volume and 2010 Supplement)~~

3 BY repealing and reenacting, with amendments,  
 4 Article – Public Safety  
 5 Section 13–302  
 6 Annotated Code of Maryland  
 7 (2003 Volume and 2010 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article – Education**

11 **6–201.1.**

12 **THE DEPARTMENT SHALL:**

13 (1) DEVELOP AN INFORMATIONAL FORM THAT LISTS AND  
 14 EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER TO OBTAIN  
 15 CERTIFICATION AND TENURE IN THE STATE; AND

16 (2) POST THE FORM ON ITS WEB SITE.

17 ~~6–202.~~

18 ~~(b) (1) Except as provided in paragraph (3) of this subsection, the~~  
 19 ~~probationary period of employment of a certificated employee in a local school system~~  
 20 ~~shall cover a period of 3 years from the date of employment and shall consist of a~~  
 21 ~~1-year employment contract that may be renewed by the county board.~~

22 ~~(3) (i) Subject to subparagraph (ii) of this paragraph, if a~~  
 23 ~~certificated employee has achieved tenure in a local school system in the State and~~  
 24 ~~moves to another local school system in the State, OR AN INDIVIDUAL WHO HAS~~  
 25 ~~ACHIEVED TENURE OR AN EQUIVALENT LEVEL OF CERTIFICATION OR~~  
 26 ~~LICENSURE IN AN OUT-OF-STATE JURISDICTION AND MOVES TO A~~  
 27 ~~JURISDICTION IN THE STATE, that employee OR INDIVIDUAL shall be tenured if the~~  
 28 ~~employee's OR INDIVIDUAL'S contract is renewed after 1 year of probationary~~  
 29 ~~employment in the local school system to which the employee OR INDIVIDUAL~~  
 30 ~~relocated if:~~

31 ~~1. The employee's OR INDIVIDUAL'S final evaluation in~~  
 32 ~~the local school system OR OUT-OF-STATE JURISDICTION from which the employee~~  
 33 ~~OR INDIVIDUAL departed is satisfactory or better; and~~

~~2. There has been no break in the employee's OR INDIVIDUAL'S service between the two systems of longer than 1 year.~~

~~(ii) A local school system may extend the probationary period for a certificated employee OR INDIVIDUAL subject to subparagraph (i) of this paragraph for a second year from the date of employment if:~~

~~1. The employee OR INDIVIDUAL does not qualify for tenure at the end of the first year based on established performance evaluation criteria; and~~

~~2. The employee OR INDIVIDUAL demonstrates a strong potential for improvement.~~

## Article – Public Safety

13–302.

(a) (1) The Adjutant General may appoint:

(i) a chief of State operations;

(ii) an executive officer;

(iii) an administrative officer;

(iv) the directors of military installations, procurement, military support to civil authorities, State personnel, finance, and veterans affairs;

(v) the site managers for military reservations; and

(vi) a grants administrator.

(2) The executive officer and directors appointed under paragraph (1) of this subsection serve at the pleasure of the Adjutant General.

(b) (1) The Adjutant General shall keep all records required to be kept and filed with the Adjutant General's office.

(2) On or before each October 15, the Adjutant General shall submit to the Governor a detailed statement of all the receipts and expenditures for military purposes during the year ending the previous September 30.

**(c) (1) ON REQUEST, THE ADJUTANT GENERAL OR THE ADJUTANT GENERAL'S DESIGNEE SHALL ASSIST THE SPOUSE OF A MEMBER OF THE**

1 **MILITARY WHO RESIDES IN THE STATE OR IS TRANSFERRED TO THE STATE IN**  
2 **FINDING EMPLOYMENT IN THE STATE.**

3 **(2) THE ASSISTANCE PROVIDED UNDER PARAGRAPH (1) OF THIS**  
4 **SUBSECTION MAY INCLUDE PROVIDING:**

5 **(I) THE INFORMATIONAL FORM DEVELOPED BY THE STATE**  
6 **DEPARTMENT OF EDUCATION UNDER § 6-201.1 OF THE EDUCATION ARTICLE;**

7 **(II) INFORMATION RELATING TO HEALTH OCCUPATIONS IN**  
8 **THE STATE THAT PERMIT LICENSURE BY ENDORSEMENT; AND**

9 **(III) INFORMATION RELATING TO BUSINESS OCCUPATIONS**  
10 **IN THE STATE THAT PERMIT LICENSURE BY ENDORSEMENT.**

11 **[(c)] (D) (1)** The Adjutant General is responsible for:

12 (i) each armory that the State owns; and

13 (ii) each building or other property purchased, occupied, or  
14 leased by or on behalf of the State military forces.

15 (2) If the Adjutant General rejects an application to use an armory for  
16 nonmilitary purposes, the application is subject to review and approval by the Board of  
17 Public Works, the Adjutant General, and the commanding officer of the unit occupying  
18 that armory.

19 (3) The Adjutant General may adopt regulations to enforce this  
20 subsection.

21 **[(d)] (E)** The Adjutant General is the custodian of battle flags and war  
22 records and is responsible for their proper care and preservation.

23 **[(e)] (F)** The Adjutant General may employ employees as required.

24 **[(f)] (G)** The Adjutant General shall carry out the Governor's policies  
25 concerning matters specified in this title and Title 14, Subtitles 1, 2, and 4 of this  
26 article.

27 **[(g)] (H)** The seal of the Adjutant General's office shall be delivered by the  
28 Adjutant General to the Adjutant General's successor.

29 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
30 October 1, 2011.